

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

Northern District of Illinois

Western Division

Alonso Alvarez

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Rockford Police Dept

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

19-50127

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

RECEIVED

MAR 19 2021

**THOMAS G. BRIJTON
CLERK, U.S. DISTRICT COURT**

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS (Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Alonso Alvarez		
Address	1321 Victoria Ave.		
	Rockford	IL	61102
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Winnebago		
Telephone Number	815-608-0384		
E-Mail Address	n/a		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	Matthew Davis		
Job or Title <i>(if known)</i>	Police Officer Badge # 2539 District # 2		
Address	1410 Broadway .		
	Rockford	IL	61104
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Winnebago		
Telephone Number	779-500-6555		
E-Mail Address <i>(if known)</i>	n/a		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 2

Name	Jason Dobran		
Job or Title <i>(if known)</i>	Police Officer Badge # 3858 District # 1		
Address	557 Newtowne Drive .		
	Rockford	IL	61108
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Winnebago		
Telephone Number	779-500-6555		
E-Mail Address <i>(if known)</i>	n/a		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

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Defendant No. 3

Name David L.Kubly
 Job or Title (if known) Repairs Small Motors
 Address 2110 11th Street Site 110
 Rockford IL 61104
 City State Zip Code
 County Winnebago
 Telephone Number 815-980-5007
 E-Mail Address (if known) n/a

☒ Individual capacity ☐ Official capacity

Defendant No. 4

Name Max Mart
 Job or Title (if known) Retail Store
 Address 922 Kilburn Ave .
 Rockford IL 61101
 City State Zip Code
 County Winnebago
 Telephone Number 815-904-6587
 E-Mail Address (if known) n/a

☒ Individual capacity ☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials? No person shall be discriminated against because of race , color ,or national origin , or sex.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
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III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

In front of the shell gas station located on Kilburn Ave . Rockford IL .

- B. What date and approximate time did the events giving rise to your claim(s) occur?

July 26th 2020 at 2:38 PM Car Accident .

- C. What are the facts underlying your claim(s)? (*For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)

Kubly made a vain attempt to flee the scene of the accident after my vehicle damaged his trailer and was unable to escape and decided to park in front of the Shell gas station and as did I.

I asked Kubly to provide proof of insurance and his driver's license information and refused to comply under the premise of trying to "avoid a confrontation" and made racist remarks as a "person of color" as he entered the Shell gas station and I stayed by my vehicle to obtain the dashcam video footage.

Matthew Davis, P.D. ordered me to maintain my distance from Kubly and to stay in my vehicle as I overheard make a racial remark meanwhile protecting him under racial favoritism and withholding vital information such as: his insurance policy number, his actual place of residency and his license plate information and refused to cite Kubly's frequent habitual offenses of driving multiple unlicensed trailers for decades.



IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I want the court to compensate punitive damages and actual damages for the constant racial profiling and discrimination and racial remarks made by the Rockford Police Officers: Matthew Davis and Jason Dobran; as well as David Kubly. I am a citizen of the United States and I am seeking an estimated total of \$1,000,000.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 03/15/2021

Signature of Plaintiff

Printed Name of Plaintiff

Alonso Alvarez ; Pro-Se

B. For Attorneys

Date of signing: 03/15/2021

Signature of Attorney

Alonso Alvarez ; Pro-Se

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

1321 Victoria Ave

Rockford

City

IL

State

61102

Zip Code

Telephone Number

(815) 608-0384

E-mail Address

United States District Court

For the

Northern District of ILLINOIS

Western Division

Case No _____

Alonso Alvarez

Plaintiff

Rockford Police Dept

Max Mart

Matthew Davis

Jason Dobran

David I Kubly

Defendant (s)

Alonso Alvarez

